IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

TUESDAY, THE TWENTY FIFTH DAY OF JANUARY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MRS JUSTICE T.MEENA KUMARI

and
THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT APPEAL NO : 107 of 2005

Writ Appeal under Clause 15 of the Letters Patent against the Order dated 02/12/2004 in WP NO : 22278 OF 2004 on the file of the High Court.

Between:

P. Peeraiah, s/o Gangaiah, Hindu,
Sangareddy Bus Depot, Medak District.

..... APPELLANT

AND

The Depot Manager, APSRTC, Sangareddy Bus Depot, Medak District.

.....RESPONDENT

Counsel for the Appellant: MR.P.VENKATESWAR RAO
Counsel for the Respondent: MR.V.T.M.PRASAD (S.C.FOR APSRTC)

The Court made the following:

THE HON'BLE MRS. JUSTICE T. MEENA KUMARI

AND

THE HON'BLE MR. JUSTICE S. ANANDA REDDY

–

W.A. No. 107 of 2005

JUDGMENT: (Per Hon'ble Mrs. Justice T. Meena Kumari)

This writ appeal is filed by the appellant-workman aggrieved by the orders of the learned single Judge passed in W.P.No.22278 of 2004, dated 2nd December, 2004, which was filed challenging the suspension order of the appellant, dated 11.10.2004.

2. The appellant/petitioner has been working as a conductor in the Respondent-Andhra Pradesh State Road Transport Corporation, and was placed under suspension for his alleged misconduct in issuing a wrong denomination Bus Pass Punch Card. Challenging the said suspension order pending enquiry, the appellant filed the above Writ Petition.

3. Before the learned single Judge, the learned counsel for the petitioner-

workman contended that since the student gave a preliminary statement that he corrected the amount, as mentioned in the bus-pass punch card, the suspension order has to be set aside. After a careful consideration of the material on record, and after hearing both sides, the learned single Judge disposed of the Writ Petition, as under:

> "Whether the student has corrected the amount in the buss pass or the conductor corrected the same, has to be required to be gone into at the time of departmental enquiry. Since serious allegations are levelled against the petitioner concerning financial irregularities, the order of suspension does not suffer from any legal infirmities so as to call for interference. Normally this Court will not interfere with the order of suspension pending enquiry, unless the jurisdiction of the authority is under challenge. It is not a case where the jurisdiction of the authority, who issued the order of suspension, is under challenge.
>
> In view of the above, the Writ Petition is disposed of with a direction to the respondent to complete the enquiry within a period of three months from the date of receipt of a copy of this order."

4. The learned counsel for the appellant-workman reiterated the contentions that were advanced before the learned single Judge, and sought to set aside the impugned suspension order dated 11.10.2004 passed by the respondent-Corporation.

5. On the other hand, the learned Standing Counsel for the respondent-Corporation supported both the suspension order as well as the order passed by the learned single Judge, and sought for dismissal of the writ appeal.

6. Heard both sides and considered the material on record.

7. As extracted above, the learned single Judge has given cogent reasons for not setting aside the impugned suspension order passed by the respondent-Corporation against the appellant/workman. In view of the said cogent reasons, and as the Writ Petition is filed against the suspension order, we do not find any reason to set aside the findings of the learned single Judge.

8. Accordingly, the writ appeal is dismissed.

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T.Meena Kumari, J.

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S. Ananda Reddy, J.

Dt. 25..01..2005

Kvh

To

1. The Depot Manager, APSRTC, Sangareddy Bus Depot, Medak District.

2. 2 C.D. copies.